Getters---Randolph 1

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65th YEAR

RICHMOND, VA., THURSDAY, DECEMBER 2, 1915.—TEN PAGES.

MISTRIAL ORDERED

Antinarcotic Law Fails to

Physician Accused of Violating Jury, After Thirty Hours' De- Ohio Senator Announces Candiliberation, Reports Hopeless Deadlock.

IN WATSON CASE

dacy for President Pro Tem.

of Upper House.

AGAINST CLARKE

FORFEITS \$2,000 BAIL BOND TEN FOR. TWO AGAINST, HIM ASSURES LIVELY CONTEST

To-Day on Report of Special Cloture Committee.

of the Ohio Senator, announced after cus, assures a lively contest, which will

Opposition to Senator Clarke had smoldering since the Democratic conference began on Monday because of his antagonism to the ship-purchase leaders had sought, however, to allay this opposition for the sake of party harmony, and it was not until to-night WILL ACT ON REPORT

OF CLOTURE COMMITTEE

To-morrow the Democratic conference will act on the report of the Special Committee on Rules, proposing limitation of debate to prevent filibustering. The committee to-night agreed upon a cloture rule, which would proa vote whenever filibustering tactics became apparent. It would provide that when any Senator arises and asserts the opinion that an attempt is claims the right of the Senate to proto the Senate without debate the ques-"Is it the sense of the Senate struct, hinder or delay a vote?" the question is decided in the affirma. Line on charges of tive, it would be in order for any Senator to move to fix a time for taking a amendments, such motion to be decided without debate. The time to be fixed early in the war, virtually ended late would be at least two calendar days

after the making of such a motion. Democratic Senators, who oppose cloture, predicted to-night that the

fought in the conference, TO MAKE UP ASSIGNMENTS FOR THE NEW SENATE

caucus to-day elected Senator Chilton, of West Virginia, vice-chairas George Kotter, superintendent of the party whip. On the Steering Committee, Senator Kern named Senators, Martin, Owen, Chamberlain, Thomas, O'Gorman, Williams, James and Reed. Senators Luke Lea, Tennessee; Hoke Smith, Georgia, and Clarke, of Arkansas, re-William J. Rixon Arrested in Newark tired from the committee. The new will make up committee assignments for the new Senate. Senator Simmons, chairman of the Finance Committee, it was learned, has proposed that his committee be enlarged,

to-day, prepared, he said, for session shortly before the present trial,

DISCUSS LUSITANIA CASE

Count von Bernstorff and Secretary of State Lansing in Half-Hour Conference.

[Special to The Times-Dispatch.] WASHINGTON, December 1 .- Count special report of Dr. Rudolph Diedling. von Bernstorff, the German ambassador, and Secretary of State Lansing

the Lusitania case. It was learned authoritatively that the United States no longer insists on a disavowal by Germany of the act of by a vote of 4 to 2 at the end of a the commander of the submarine which tions between the two governments are the language in which Germany's regret for the loss of American lives

shall be expressed and the question of indemnity. The position of the United States is that Germany must acknowledge her ish, adjoining New Orleans, in a pro- row at the failure of their client to Professor Munsterberg, of Harvard, obligation to pay indemnity. Germany, on the other hand, insists that the question of her obligation, as well as the amount to be paid, shall be sub- testified.

mitted to arbitration. The belief prevails among officials of for German cruisers?" asked Roger B. marines. the State Department that considerable Wood, of the government's counsel, progress has been made toward an Hugo Munsterberg, of Harvard. He amicable settlement of the controversy, give no reason for considering them fronts comparative calm prevails. and that Germany ultimately will consent in this case to pay indemnity fense had contended that the omission REPORTS OF CABINET BREAK without arbitration, with the under- of these items was due to a blunder; standing she does not yield on the that the defendants did not know they principle that such mateers should had to be recorded, and that as soon as rightly be settled by an international they learned it was necessary, the

WATERWAYS TO SUFFER

Will Be Provided For During Coming Session of Congress.

WASHINGTON, December L-No new river and harbor projects will be pro- morrow to summing up. Judge Howe's feldon, Minister of Finance. vided for during the coming session of charge, it is expected, will consume call for \$46,000,000, he said, but it is terstate Commerce Commission to-day house, while the rank of freiheer has sum for rivers and harbors, and leaving of the money among the projects.

Will Oppose Clarke

SENATOR POMERENE.

DEFENSE RESTS ITS CASE

IN SHIP SUPPLY CHARGES

Government Announces That It Will

Call No Witnesses in

Rebuttal.

There Remains Only Summing Up of

Three Codefendants Testify.

fore the jury retires.

were virtually the same.

ACTED ON INSTRUCTIONS

plies, which were placed aboard,

titled, but he had failed to inform them

CONSIDERED SUPPLIES

ships sent to the Germans' aid.

Each of the four defendants swore

provisions.

tory.

line; Adolph Hachmeister, purchasing

young man who sailed on the steam

ship Herwind as her supercargo-tes-

WEATHER —CLOUDY

CABINET FOLLOWS

son and Result of Emperor's Trip.

TO GET SEPARATE PEACE

Dispute With Bulgaria Over Division of Serbian Territory Rumored.

BALKAN OPERATIONS CONTINUE

tain, but May Be Forced to Take Definite Stand.

Roumania to Deliver

LONDON, December 1.-Emperor William's visit to Vienna, which coinmany to force Austria into a German Zollverein, a desire of Emperor Francis through the intervention of Pope Bene-Austria and Bulgaria over the division

basis for any of these reports, beyond that Emperor William's visit was one

Meantime, operations in the Balkans against the occupation of Monastir.

AUSTRIA CONTINUES

OPERATIONS IN MONTENEGRO Austria, with the assistance of some tions against Monte legro, the frontier the Montenegrins, who are masters in joined by some portions of the Serbian armies which succeeded in escaping from invaders of their country

to carry the projected relief cargoes, vents any movements of importance

loaded), and Hachmeister bought about | invasion through Roumania.

STILL IS UNCERTAIN The attitude of Roumania is still uncertain. The reports say that she, like Greece, is trying to remain neutral, but with two belligerent armies on her

sank the vessel. The principal points to mention the supplies and provisions of the entente allies, insists upon the cording to dispatches from Athens, to

The witness said be did, and could along the Isonzo River. On the other

CONFIRMED BY EMPERIOR

AMSTERDAM, December 1 (via London).-Reports that several members proper entries were made on all other of the Austrian Cabinet have resigned are confirmed by an autograph letter Trom Emperor Francis Joseph, pubthat he had no intention to defraud lished in the Wiener Zeitung, of Vienna, the United States, and no thought to The Emperor has accepted the resigna; deceive port collectors in manifesting tions of Dr. Karl Heinold d'Udynski, the cargoes or stating the destinations Minister of the Interior; Dr. Rudolf Schuster von Bonnott, Migister of Three hours will be devoted to. Commerce, and Baron Engel von Main-

Acceptance of these resignations is Congress, in the opinion of Chairman an hour or less, so that the case should qualified with the provision that the services of the retiring ministers are

WASHINGTON, December 1.-The in- been appointed members of the upper

Carolina and Virginia to Fall River, counts, has been appointed Minister of to army engineers the apportionment Mass., were not unjustly discrimina- the Interior; Ritter von Leth, governor of the postal savings bank, Min-

Du Pont Officials Decry Wild Rumors

thing Other Than Accident.

the cause of yesterday's explosion at the Du Pont Black Powder Plant. Du Pont officials, after an all-day investigation, issued a statement, saying: "We have no ground to suspect the explosion was the result of anything other than an accident. Many sensa-Express Fails to . Stop When tional rumors are current, but have

Point, N. J., or along the Brandywine from the opposite side of the creek, as reason to place any credence in reliberate work of any one inside or out-

Although a revised list of the dead gone cricksburg and Potomac Railroad Com- placed the number at thirty, it was learned to-night that Patrick Donahue, at the appointed time caused a sensaanother workman, has not been seen was killed.

smokeless powder to-day engers had boarded the car Pont plant at Carney's Point, N. J. No. it left the car tarns on the one was hurt, and the property damage the \$2,000 bond under which he had eastbound trip, and it is believed all was slight. Company officials said the explosion was what is called "flare-up" in a blending mill.

JANE ADDAMS HOPEFUL

Expects to Recover From Present Illness in Time to Join Ford Peace Expedition.

CHICAGO, December 1 .- Miss Jane mpany, and constitute all of those Addams, head of Hull House Socialogi- the would be held to-morrow. The condi- asked to bend every energy for his

continue down Broad Street, A. Miss Addams, said Miss Addams was so John Burke, of the internal revenue east gate on Broad Street and nar- hopeful that she would rapidly recover that she was planning to join the Henry Ford peace expedition in Europe.

SUFFRAGE LEADERS INVITED

Clark Tenders Use of Speaker's Gallery When Mondell Introduces Susan B. Anthony Amendment.

The coroner said last night that he National American Woman Suffrage had set no definite time for the in- Association to occupy the Speaker's and would not do so until he gallery in the House on the opening had learned what evidence the police day of Congress, when Representative Mondell, of Montana, will introduce the Susan B. Anthony suffrage amendment. Mrs. Clark joined the Speaker

representatives new Congress. Senator Thomas, chair- Mrs. Brooker has relatives in England, Sil South Meadow Street conforms to committee of the association on this week or more ago, when his counsel,

FREIGHT TIE-UP SERIOUS

Merchants' Association of New York Anxious to Find Menns of Ending Congestion.

[Special to The Times-Dispatch.] NEW YORK, December 1 .- The Merchants' Association of New York this afternoon appointed a committee of five to confer with the railroads and find some means of ending the congestion of freight, which is seriously injuring the business of New York shippers.

Several members of the association related instances in which failure on the part of the railroads to deliver freight had caused them to miss from FOR GRADE TO YARDS two to six successive steamship sailings. It was stated that, in spite of the shortage of ships, one ship will sail for France to-morrow with tons empty space, because the railroads are unable to deliver the freight.

MARTIAL LAW DECLARED

Louislana Governor Says "Reign Lawlessness" Exists in Jefferson Parish.

NEW ORLEANS, December 1 .- Martial law was declared in Jefferson Par- torneys assured the court of their sor-Gateman Burnette had taken in the clamation issued by Governor Hall to- appear and of their co-operation in

militia raids recently on alleged gamb-

The troops to-day burned numerous slot machines and took charge of other gambling parapheranelia.

AUSTRIA DESIRES PEACE

Object of Emperor William's Visit to Vienna Is to Put Stop to Negotiations Now in Progress.

ROME, December 1 (via Paris) .visit to Vienna was to put a stop to Circuit Court. efforts Austria is making, by means JUDGE WADDILL CONFIDENT of negotiations through Madrid with the pilot buried itself again in the the Vatican, to obtain a separate peace car's side, this time near the rear door.
The car careened and appeared to be Tribuna. "Vienna and Berlin disagree about to turn over. However, one of on the question of peace. Berlin dethe steel light poles in the middle of sires to treat separately with each of and Mrs. Brooker," he said, "are both the allies, so as to break up the quadruple entente, and then to crush Engwere of the opinion last night that the land, but Vienna desires a real and engine stopped almost immediately lasting peace to end the tension, which after it had struck the ear. The John- rapidly is becoming too great for Austria to bear."

DR. BROOKER SKIPS IO PARTS UNKNOWN

Report for Trial.

Wide Net to Catch Absconding Dope Prescriber.

The whole system of governmental

since the disaster, and it is feared he spectators who had gathered in the been placed after the mistrial in Octopart of Dr. Brooker had been indicated several days ago in his sudden disappearance from the city.

LAW SPREADS NET FOR

No sooner than the formalities of and further consultation country were communicated with and Miss Alice Hamilton, secretary for Agent Grasty and Deputy Collector tive and the Treasury Department on District Attorney Hiram Smith took steps looking to the offering of a reward for his apprehension.

Mrs. Brooker, the wife of the physiappearance in the district court, left the city Tuesday, and her whereabouts is as much of a mystery as that of her husband. Detective Sergeants Wily and Kellam made ineffectual efforts yesterday afternoon to trace her It is thought she left to join her hus-

SUGGESTED THAT REFUGEE

MAY BE IN ENGLAND No clue was obtainable yesterday as The suffrage amendment will be sub- to where Dr. Brooker intended to go as the first resolution of the when he left the city. It is known that grant a hearing to a Mrs. Brooker is said to have stated a D. C. O'Flaherty and William M. Justis. Jr., first had trouble in locating him, that he had gone to a sanatorium near Washington or Norfolk to recuperate. Though this is thought to be extremely unlikely, it is a possibility, and the authorities will give it

all the investigation it is worth. Attorney William M. Justis, Jr., advised the court yesterday of ineffectual efforts of his counsel to locate Dr. Brooker, "Our information," he said, "is that he has left the city, whether to return or not, we do not know. He was in our office on Thursday before last for consultation, and made an engagement for an interview the next

day. He never came, however, strain of the first trial had left Dr. Brooker almost a nervous wreck and physically unable to appear in court. that he is gone."

ACCUSED'S COUNSEL FEARS CLIENT IS GONE FOR GOOD stormy session.

Mr. O'Flaherty corroborated what Mr. Justis had told the court, and added that Mrs. Brooker's evasive replies to questions he had asked concerning the physician several days ago led him to not to stand another trial. Both at-

Governor Hall's action followed two lished that the accused man did not Attorney Smith then made a motion that the bond be immediately declared forfelted, it appearing beyond a reasonable doubt that Dr. Brooker was trying to evade the law. The court sustained Mr. Smith's motion, and steps were taken forthwith in the city and county courts to realize for the government the amount of the bond. Attorneys O'Flaherty and Justis also took steps to collect their fees, suing out an attachment in the City Circuit Court and filing a lis pendens against Mrs. Sends Box of Flue Linen Handkerchiefs The real object of Emperor William's Brooker's farm property in the Henrico

PRISONER HAS SKIPPED

They let no one into the secret. It committee of St. George's. does not strike me that the facts in Brooker is in a sanatorium for treat-Norman Galt." the case support the theory that Dr. from Mrs. Galt reading;

Government Spreads Nation- Was Charged With Using Ob- Democratic Conference Will Act scene Language in His Publications.

court to-night after a conference with reached to-night, a mistrial should be taken. C. E. Brown, of Tennille, Ga., that an open fight developed. foreman of the jury, stated that it was 'impossible" for the jury to agree, and on the judge's questioning other jurors J. A. Crawford, of Martinez, Ga., de-

"Your Honor, this jury might remain here thirty years and it would never reach a verdict."

Judge Lambdin then ordered a mistrial, and court was adjourned. Wat- vide means for forcing a measure to son returned to Thomson before the ARTICLES WERE ATTACK

ON CATHOLIC CHURCH Watson was placed on trial last Friotherwise unlawful language in issues Deadliest Menace to Our Liberties and Civilization," which appeared in his monthly magazine, and an editorial headed, "Another Maria Monk Case Comes to Light in New Jersey a Few Days Ago," in his weekly paper.

Watson, a member of the Georgia bar, acted as his own leading counsel. He assumed responsibility for mailing the matter, but denied that the language was obscene.

The indictment was returned in 1913. after a previous indictment had been quashed on a technicality, and after one Federal grand jury had refused to indict Watson on similar charges. The articles were published in 1911 and

There was no indication to-night as to whether or not the district attorney

MALLORY MYSTERY SOLVED

would press for another trial.

for Attempting to Get Money From Dead Man's Family.

NEWARK, N. J., December 1 .- With the arrest of William J. Rixon at Newson that Senator Underwood of Alark to-day, a mystery following the bama, former majority leader of the disappearance of Dwight F. Mallory, wealthy Baltimorean, was solved. Mal lory is believed to have been drowned Means Committee continued work on 1913 between his line and the German Sienieca and across the frontier from

speaker was the missing man. The consider the filling of minority places on the committees.

Speaker was the missing man. The consider the filling of minority places on the committees.

Solution and another man another man on the committees. police say Rixon and another man hoped to get \$500 from Mallory's famto-day, prepared, he said ity by reporting that he was alive aid lasting "until the dog days." owed that sum for board.

OSBORNE RETAINS JOB

Special Report Recommending His Re-Is Laid on Table.

ALBANY, N. Y., December 1 .- The I know that the mental and physical a member of the Prison Commission, criticizing the conditions at Sing Sing Prison and recommending the removal an hour to-day, at which they discussed it may be that he is in a sanatorium, of Thomas Mott Osborne, the million-We are constrained to fear, however, table at a meeting of the Prison Commission to-day. This action was taken

> The vote was taken on the question of laying the report on the table until after the Westchester County grand jury, which is investigating affairs at Sing Sing, has made public its findings.

PREDICTS END OF WAR

Says He has Reasons for Believing Conflict Will Stop by Spring.

war will end in the spring. This is the prediction of Professor thinking so, but he is not at liberty

to state what they are. Wher asked the reason for his prophecy, he professor replied: "Ab-that is the point-I have very good reasons, but I cannot tell you

to Fair Committee of Brooklyn [Special to The Times-Dispatch.]

was deliberately evading trial. "Dr. Galt, the President's flancee, to-day They were sent at the request of In the box was an autographed card

"To St. George's Church, from Mrs.

[Special to The Times-Dispatch.] BOSTON, MASS., December 1.- The

about them." "Any way," he concluded, "I am not a prophet, I'm a psychologist.

MRS. GALT MAKES GIFT

NEW YORK, December 1,-St. George Sparkman, of the House Rivers and reach the jury during the afternoon. Judge Waddill was emphatic in ex- P. E. Church, Brooklyn, received a box Harbors Committee, who discussed the pressing his belief that Dr. Brooker of fine linen handkerchiefs from Mrs. question to-day with President Wilson. gone. Nobody knows where they are. Mrs. Stewart, representing the fair probable the amount will be cut, He held that the rail and water rate of been conferred on Dr. Schuster.

New River and Harbor Projects

Estimates for continuing old projects

BREAK IN AUSTRIAN VISIT OF KAISER

Speculation Rife as to Rea-

VIENNA REPORED TRYING

Attitude of Roumania Still Uncer-

Ultimatum to Austria

LONDON, December L.-Roumania will deliver an ultimatum to Austrin as soon as the entente allies oncentrate 500,000 men in the Balkans, it is, reported in Bukharest. says a Central News disputch from that city.

SHOULD REACH JURY TO-DAY cided with the resignation of three Counsel and Judge Howe's Inevents are variously assumed to be con structions-Dr. Buenz and His

abated energy. Like Germany, Bulgaria announces that with the capture of Prisrend, her campaign against counsel and Judge Howe's charge be-Serbia has come to an end, which seems to support the suggestions that, The case should reach the jury late to avoid a dispute with Greece, King

fense witnesses. William Rand their questions, and the stories they told

FROM DR. BUENZ Battles are now being fought in that Kotter and Hachmeister testified that part of the Sanjak of Novipazar which they acted on instructions from Dr. was taken by Montenegro after the House, may be given a place.

Buenz, who in turn was acting under Balkan war. The Austro-German Democrats of the House Ways and an agreement reached in the fall of forces are advancing south from Last Monday a telephone message will be completed to-morrow. House completed to-morrow. House from Notark to a friend of Mallory in Baltimore represented that the consider the filling of minority places in case of war. Population and the Austrians in the region of Fotchs, Speaker Clark reached Washington not even know of his existence till vided sufficient forces to make sure of

thortly before the present trial, The three of them—Buenz, Hach-the case of Serbia. meister and Kotter-met in Dr. Buenz's In Southeastern Serbia, where the private office on July 31, 1914, to dis-British, French and Serbians hold cuss ways of obtaining neutral ships strong positions, the snow still pre-

No news has been received of the Kotter knew a steamship agent, John H. Gans, and from him were chartered Austrians and Germans who proceeded the Thor, the Lorenzo and the Ber- to Rustchuk, on the Danube River, to wind. Kotter bought coal for them co-operate with the Bulgarians and (except in the case of the Thor, already Turk, in opposing a possible Russian

\$27,000 worth of provisions and sup- ATTITUDE OF ROUMANIA

On Hachmeister's cross-examination, the government made him testify that ! he had been employed by the Hamburg-American Line since 1889, knew all about manifests, knew that every item borders, this, it is believed, may prove of a ship's cargo had to be written difficult

Greece, in her reply to the latest note mentioned. The company's brokers, dependence, and a final settlement of the points at issue between the Helline, cleared the ships, Hachmeister teslenic kingdom and the entente powers is not yet in sight. Greece objects, acof the presence of the supplies and the evacuation of Saloniki by her troops, the handing over of the rail-AS SHIPS STORES ways to the entente allies and the po-"I considered them ship's stores," he living by the navies of the entente powers of her coastal waters to cir-"But you knew they were intended cumvent the activities of German sub-

to be available if required, Rates Not Unjustly Discriminatory. Dr. Heinold and Baron Engel have

opposed the plan adopted by Congress the Atlantic Coast Line on cotton piece | Prince | Hohenlohe | Schilling fuerst, last session of appropriating a lump goods from points in Georgia, South president of the Supreme Court of Ac-

You a Tenant---Now

WOMAN IS KILLED IN COLLISION AT **GRADE CROSSING**

Passenger Train Crashes Into Street Car at Hancock and Broad Streets.

TROLLEY SPLITS SWITCH AND IS UNABLE TO MOVE

Watchman Flags It, Seeing Impending Accident.

SEVERAL ARE SLIGHTLY HURT

Engine Is Brought to Standstill as Soon as It Strikes-Victim Dies Instantly. Train No. 86 of the Richmond, Fred-

Another man, whose name been ascertained last night,

rowly avoided being caught in the col-Police Captain Epps and Sergeant Zimmer made no arrests last night. of 100 North Granby Street, to con-

Westhampton car was stopped by the

had secured.

that told by the motorman and con-ductor. Their information is to the effect that the train was just leaving Elba Station when the street car

Duling, 2508 Beverley Street, went in front of the car and waved it ahead. Mulberry Street, started his ear forward, and reached the switch which deflects Clay Street cars down Hancock Street. The front trucks of the street down Broad Street, but the rear trucks, for some reason, followed the curve.

The ear stopped of its own accord.

it was impossible for it to proceed with and the rear truck in another.

TRAIN MAKING SPEED

At this time the train had left Elba and had reached Laurel Street. The heavy train of Pullmans, drawn by one of the largest locomotives on the division, was getting up speed for the grade into the railroad yards, and was approaching rapidly. Peterson realized the danger. Duling had already done so, and was running down Broad Street waving his arms wildly. Peterson leaped from the front platform of the car and rushed after the conductor He called to Duling to return and rush

the passengers from the car, while he

ran toward the approaching train. situation, and was running as rapidly day. The Governor charged that a apprehending him. as possible toward the train. He "reign of lawlessness" existed in the swung a red lantern and signaled wild-parish, and that "it appears the parish on Dr. Brooker's absence, and to hold ly for the train to stop. No slackening authorities are in sympathy with the on Dr. Brooker's absence, and in abeyand it bore down upon the stalled car and the helpless passengers. Conductor Duling reached them a bare ing and lottery establishments in Attanger Smith then made a metter minute before the engine struck the Southport. His warning is supposed to have been just in time to start the Johnson woman, who was standing near the

LOCOMOTIVE SWIPES STREET CAR ON SIDE In the opinion of those who were in

rear door, from the car.

the car and those who witnessed the accident from the street, the colored woman must have been on the platform at the time the car was struck. cross-beam of the locomotive struck the street car on the side near the front door. The car was hurled backward, and the cross-beam as well as the street caught it and held it fast. Persons who witnessed the accident

(Continued on Second Page.)

No Ground to Suspect Explosion at Wilmington Result of Any-

WILMINGTON, DEL., December 1 .-

Developments to-day threw no light or